

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GERALD JOSEPH LOVOI, derivatively and on
behalf of CVS HEALTH CORPORATION,

Plaintiff,

-against-

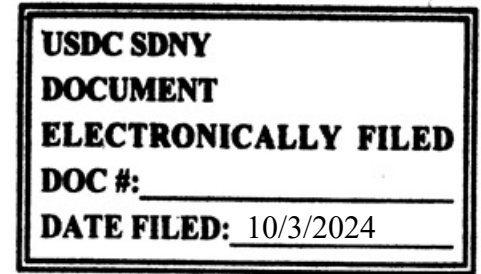
LYNCH, et al.,

Defendants,

-and-

CVS HEALTH CORPORATION, a Delaware
Corporation,

Nominal Defendant.



24-CV-07310 (MMG)

ORDER

MARGARET M. GARNETT, United States District Judge:

The undersigned currently presides over five cases that have been deemed related because they all concern statements made by CVS Health Corporation in SEC filings, marketing materials, and other public documents about the profitability of its Health Care Benefits Segment. The five cases are as follows: *Nixon v. CVS Health Corporation, et al.*, 24-cv-05303; *Kaufmann v. Lynch, et al.*, 24-cv-06595; *Tatone v. CVS Health Corporation, et al.*, 24-cv-06771; *Silva v. Lynch, et al.*, 24-cv-06892; and *Lovoi v. Lynch et al.*, 24-cv-07310.

On September 10, 2024, two prospective lead plaintiffs in *Nixon v. CVS Health Corporation, et al.* separately filed motions to consolidate the *Nixon* and *Tatone* actions.¹ See *Nixon v. CVS Health Corporation, et al.*, 24-cv-05303, Dkt. Nos. 15, 17. Those motions remain pending. On September 23, 2024, the parties in *Kaufmann v. Lynch et al.*, together with the parties in *Silva v. Lynch, et al.*, filed a motion to consolidate the *Silva* and *Kaufmann* actions.² See *Kaufmann v. Lynch, et al.*, 24-cv-06595, at Dkt. No. 9; *Silva v. Lynch, et al.*, 24-cv-06892 at Dkt. No. 4. This motion remains pending.

Before the Court resolves the above motions that have been filed in the *Nixon* and *Silva* actions concerning consolidation and in light of the related nature of the five aforementioned cases pending before the undersigned, it is hereby ORDERED that the parties in the above-captioned case shall each submit a letter, not to exceed 3 pages, that addresses the parties' views on whether all five cases, or some combination thereof, should be consolidated, no later than **October 11, 2024**. The defendants, if

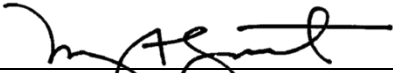
¹ The motions filed by two prospective lead plaintiffs in *Nixon* request additional relief beyond the consolidation of the *Nixon* and *Tatone* actions that is not relevant to the instant Order.

² The motion filed by the parties in *Silva* requests additional relief beyond the consolidation of the *Kaufmann* and *Lynch* actions that is not relevant to the instant Order.

they choose, may submit a single letter regarding consolidation that should be filed on the electronic docket in each of the five cases.

Dated: October 3, 2024
New York, New York

SO ORDERED.



MARGARET M. GARNETT
United States District Judge